



## 2019 California Rules Of Court

### **Rule 2.834. Open proceedings; notices of proceedings, use of court facilities, and order for hearing site**

#### **(a) Open proceedings**

All proceedings before a temporary judge requested by the parties that would be open to the public if held before a judge must be open to the public, regardless of whether they are held in or outside a court facility.

*(Subd (a) adopted effective January 1, 2010.)*

#### **(b) Notice regarding proceedings before temporary judge requested by the parties**

- (1) In each case in which he or she is appointed, a temporary judge requested by the parties must file a statement that provides the name, telephone number, and mailing address of a person who may be contacted to obtain information about the date, time, location, and general nature of all hearings and other proceedings scheduled in the matter that would be open to the public if held before a judge. This statement must be filed at the same time as the temporary judge's certification under rule 2.831(b). If there is any change in this contact information, the temporary judge must promptly file a revised statement with the court.
- (2) In addition to providing the information required under (1), the statement filed by a temporary judge may also provide the address of a publicly accessible Web site at which the temporary judge will maintain a current calendar setting forth the date, time, location, and general nature of any hearings scheduled in the matter that would be open to the public if held before a judge.
- (3) The clerk must post the information from the statement filed by the temporary judge in the court facility.

*(Subd (b) amended and relettered effective January 1, 2010; adopted as subd (a) effective July 1, 2006.)*

#### **(c) Use of court facilities, court personnel, and summoned jurors**

A party who has elected to use the services of a temporary judge requested by the parties is deemed to have elected to proceed outside court facilities. Court facilities, court personnel, and summoned jurors may not be used in proceedings pending before a temporary judge requested by the parties except on a finding by the presiding judge or his or her designee that their use would further the interests of justice.

*(Subd (c) amended and relettered effective January 1, 2010; adopted as subd (b) effective July 1, 2006.)*

#### **(d) Appropriate hearing site**

- (1) The presiding judge or his or her designee, on application of any person or on the judge's own motion, may order that a case before a temporary judge requested by the parties must be heard at a site easily accessible to the public and appropriate for seating those who have made known their plan to attend hearings. The application must state facts showing good cause for granting the application, and must be served on all parties and the temporary judge and filed with the court. The proceedings are not stayed while the application is pending unless the presiding judge or his or her designee orders that they be stayed. The issuance of an order for an accessible and appropriate hearing site is not a ground for withdrawal of a stipulation that a case may be heard by a temporary judge.
- (2) If a court staff mediator or evaluator is required to attend a hearing before a temporary judge requested by the parties, unless otherwise ordered by the presiding judge or his or her designee, that hearing must take place at a location requiring no more than 15 minutes' travel time from the mediator's or evaluator's work site.

*(Subd (d) amended and relettered effective January 1, 2010; adopted as subd (c) effective July 1, 2006.)*

*Rule 2.834 amended and renumbered effective January 1, 2010; adopted as rule 243.33 effective July 1, 2006; previously renumbered as rule 2.833 effective January 1, 2007.*